

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED

5/16/2022

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

TAMMY W.,

*Plaintiff,*

v.

KILOLO KIJAKAZI,

*Defendant.*

CASE NO. 6:19-cv-28

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff's motion for attorney's fees. Dkt. 31. Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), the Court referred this matter to United States Magistrate Judge Robert S. Ballou for proposed findings of fact and a recommended disposition. In his Report and Recommendation ("R&R"), Judge Ballou determined that attorney's fees should not be awarded because the Government's litigation position was substantially justified. Dkt. 35. After reviewing the case, and since neither party has filed objections to the R&R within fourteen days of its service upon them, the Court **ADOPTS** the R&R in its entirety. Accordingly, Plaintiff's motion for attorney's fees, Dkt. 31, is **DENIED**.

The Clerk of the Court is **DIRECTED** to **DISMISS** this case from the Court's active docket and to send a copy of this Order to all counsel of record and to United States Magistrate Judge Robert S. Ballou.

It is so **ORDERED**.

Entered this 16th day of May 2022.

  
NORMAN K. MOON  
SENIOR UNITED STATES DISTRICT JUDGE